

**Fuel Oil Non-Availability Report**  
North American Emmissions Control Area  
(NA-ECA)

MARPOL Annex VI Regulation 18.2, as incorporated by reference in 40 C.F.R. § 1043.100, provides that a vessel not in compliance with the fuel oil sulfur standards will:

- “(1) present a record of the actions taken to attempt to achieve compliance; and
- (2) provide evidence that it attempted to purchase compliant fuel oil in accordance with its voyage plan and, if it was not made available where planned, that attempts were made to locate alternative sources for such fuel oil and that despite best efforts to obtain compliant fuel oil, no such fuel oil was made available for purchase.”

**Vessel's Name:** FPMC 28  
**Vessel's Flag:** Liberia  
**Identification Number:** 9528378  
(IMO or other)

Voyage Plan

(Note: This plan should reflect what is in effect at the time of the vessel's entry into the North American ECA)

**Port of Origin:** Yokohoma, Japan  
**Port of Destination:** Texas City, USA  
**First U.S. Port of Arrival:** St. Rose, USA

**List of all port visits beginning with the Port of Origin and ending at Port of Destination:**

1. **Port of Origin:** Yokohama
- 2nd **Port Visit:** St.Rose
- 3rd **Port Visit:** St.Gabriel
- 4th **Port Visit:** Freeport
- 5th **Port Visit:** Houston
- 6th **Port Visit:** Texas City
- 7th **Port Visit:** Corpus Christi
- 8th **Port Visit:** lack Charles
- 9th **Port Visit:** Baton Rouge
- 10th **Port Visit:** Cristobal, Panama

(Insert more as needed)

**Date and Time Vessel Received Notice it would transit the NA-ECA:**

Vessel already in NA-ECA

**Location of Vessel when notice was received it would transit the NA-ECA:**

Vessel already in NA-ECA

**Date and Time vessel is expected to enter the NA-ECA:**

Vessel already in NA-ECA

**Date and Time vessel is expected to exit the NA-ECA:**

25th July'13/1200 LT

**Projected number of days the main propulsion engines will be operated in the NA-ECA:** 8 days approx

**Sulfur Content of Fuel Oil used when entering the NA-ECA:**

0.97%

**Sulfur Content of Fuel Oil used while operating in the NA-ECA:**

0.97 & 1.09%

A description of the actions taken to attempt to achieve compliance prior to entering the North American ECA, including a description of all attempts that were made to locate alternative sources of compliant fuel oil, and a description of the reason why compliant fuel oil was not available (e.g., compliant fuel oil was not available at ports on "intended voyage;" fuel oil supply disruptions at port; etc.

Note: The United States government does not consider the cost of compliant fuel oil to be a valid basis for claiming the non-availability of compliant fuel oil). Include names and addresses of the fuel oil suppliers contacted and the dates on which the contact was made.

Enter Text Here:

Vessel entered NA-ECA on 3<sup>rd</sup> July'13 at 1148 LT with NA-ECA compliant fuel oil. One her way to US port vessel topped up with 400.183 MT low sulphur fuel at Balboa, Panama on 28<sup>th</sup> June'13. When vessel entered NAECA, she was having 112.6 MT of fuel with 0.97% m/m sulphur content and 400.183 MT of low sulphur fuel supplied at Balboa. Upon entering NAECA vessel consumed the fuel with 0.97% m/m sulphur and from 9<sup>th</sup> July'13/0900 LT vessel started consuming fuel supplied at Balboa. In Bunker Delivery Note (BDN) it was mentioned that, Sulphur content is 1.0 % m/m. Upon receiving fuel analysis report on 12<sup>th</sup> July'13, it was noted that Sulphur content found in analysis is 1.09% m/m. At the moment vessel proceeding to high sea for tank cleaning and she will proceed to Texas City with ETA 14<sup>th</sup> July'13 at 0100 LT.

Name of fuel oil supplier : BP products North America Inc

In cases of fuel oil supply disruption, the name of the port at which the vessel was scheduled to receive compliant fuel oil and the name of the fuel oil supplier that is now reporting the non-availability of compliant fuel oil.

Enter Text Here: N/A

If applicable, identify and describe any operational constraints that prevented you from using available compliant fuel oil, for example with respect to viscosity or other fuel oil parameters. Specify steps you have taken, or are taking, to resolve these operational constraints that will allow you to use all commercially available residual fuel oil blends.

Enter Text Here: N/A

If applicable, identify and describe any operational constraints that prevented you from using available compliant fuel oil, for example with respect to viscosity or other fuel oil parameters. Specify steps you have taken, or are taking, to resolve these operational constraints that will allow you to use all commercially available residual fuel oil blends.

Enter Text Here: N/A

Describe the availability of compliant fuel oil at the first port-of-call in the United States, and your plans to obtain that fuel oil.

Enter Text Here:

Vessel entered NA-ECA on 3<sup>rd</sup> July'13 at 1148 LT with NA-ECA compliant fuel oil. On her way to US port vessel topped up with 400.183 MT low sulphur fuel at Balboa, Panama on 28<sup>th</sup> June'13. When vessel entered NAECA, she was having 112.6 MT of fuel with 0.97% m/m sulphur content and 400.183 MT of low sulphur fuel supplied at Balboa. Upon entering NAECA vessel consumed the fuel with 0.97% m/m sulphur and from 9<sup>th</sup> July'13/0900 LT vessel started consuming fuel supplied at Balboa. In Bunker Delivery Note (BDN) it was mentioned that, Sulphur content is 1.0 % m/m. Upon receiving fuel analysis report on 12<sup>th</sup> July'13, it was noted that Sulphur content found in analysis is 1.09% m/m.

If compliant fuel oil is not available at the first port-of-call in the United States, describe the lowest sulfur content of available fuel oil, or the lowest sulfur content of available fuel oil at the next port-of-call in the United States.

Enter Text Here: N/A

If the vessel has operated in the North American ECA in the prior 12 months, provide the names of all U.S. ports visited, the dates of the port calls, and whether the vessel used compliant fuel oil.

Enter Text Here:

Houston 11/Jul/13, Freeport 9/Jul/13, ST.Gabriel 6/Jul/13, ST.Rose 4/Jul/13, Baton Rouge 18/Mar/13, Lake Charles 12/Mar/13, Houston 10/Mar/13, Texas City 3/Mar/13, Houston 28/Feb/13, Freeport 27/Feb/13, Beaumont 22/Feb/13, Houston 20/Feb/13, New Orleans 13/Feb/13, Corpus Christi 9/Oct/12, Lake Charles 5/Oct/12, Corpus Christi 3/Oct/12, Baton Rouge 24/Sep/12, Lake Charles 20/Sep/12, Baton Rouge 14/Sep/12, Houston 9/Sep/12

If the vessel or owner/operator has submitted a Fuel Oil Non-Availability Report to the United States government in the previous 12 months, identify the number of Fuel- Oil Non-Availability Reports previously submitted, and provide details on the dates and ports previously visited while using non-compliant fuel oil.

Enter Text Here: Submitted on 5th October'2012

Lake Charles 5/Oct/12 Corpus Christi 3/Oct/12 Baton Rouge 24/Sep/12 Lake Charles 20/Sep/12

Provide all relevant contact information, including the ship master, ship operator, legal agent in the United States, ship owner, and any related parent companies. Also include a designated corporate official who is authorized to answer additional questions relating to claims of fuel oil unavailability and his or her full contact information.

Enter Text Here:

Master : Mainul Ahsan Khan Tel 870 773 231 020 E-mail : [fpmc28@gmail.com](mailto:fpmc28@gmail.com)

Operator : Formosa Plastic Maritime Corp. Tel +886 2 2712 2211 , +886 928 126 232

Owner : FPMC Equity Marine Corp Tel +886 2 2712 2211 , Fax : + 886 2 2719 3258

Agent : Mr. Steen Pedersen, Biehl & Co. LP, 5200 Hollister, Suite 300, Houston, TX 77040 , Tel: 713 690-7200 (24hrs)

Fax: 713 895-3153 , Cel: 409 457-3786, [formosa@biehlco.com](mailto:formosa@biehlco.com)

The United States government will consider the information submitted in a Fuel Oil Non- Availability Report to be reliable only if the report is signed by an authorized representative of your company and contains the following affirmation:

***"I certify under penalty of law that the statements and information made herein are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines and imprisonment pursuant to 18 U.S.C. § 1001."***

**Signed:** 

**Capt. Mainul Ahsan Khan**  
**Authorized Company Representative**

This completed and signed report should be sent to:

1. In the United States by email to: [marine-eca@epa.gov](mailto:marine-eca@epa.gov)
2. To the vessel's Flag State Administrator